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ORDINANCE 10-06

ORDINANCE OF THE CITY OF WESTFIELD TO AMEND WATER AND SEWER AVAILABILITY AND CONNECTION FEES

WHEREAS, The City of Westfield, ("City") is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council ("Council"); and,

WHEREAS, it is the duty and the responsibility of the Council to maintain the fiscal integrity of the finances of the City by maintaining appropriate fees for services performed by the City and to foster economic activity and growth by creating incentives and lessening obstacles for future development , and

WHEREAS, the restructuring of fees and schedules is a means by which activity and growth can create those incentives and reduce obstacles to development can be best assisted; and,

WHEREAS, the current sewer fees have been set and amended by ordinances 03-25 and 06-43 and the current water fees have been set and amended by ordinances 03-24 and 06-44; and,

WHEREAS, to maintain that fiscal integrity it is necessary to create separate classes of utility customers and to amend the fees and charges levied by the City to aid in that economic activity and growth.

NOW, THEREFORE, BE IT ORDAINED by the Westfield City Common Council meeting in session as follows:

Section 1. The Council now orders that the Westfield Department of Public Works amends their fee structure to comply with this Ordinance and temporarily decrease the fees charged for Water and Sewer availability and connection during the effective time of this Ordinance.

Section 2. That the following fees and charges currently being charged by the City of Westfield shall be amended as outlined below for the fees currently assessed or later to be amended.

- a) Except as stated in subsection (e), all Water Availability Fees shall be reduced Fifty Percent (50%)

from the effective rates as adopted or later amended by the City.

- b) All Water Connection Fees shall be reduced Fifty Percent (50%) from the effective rates as adopted or later amended by the City.
- c) Except as stated in subsection (e), all Sewer Availability Fees shall be reduced Fifty percent (50%) from the effective rates as adopted or later amended by the City.
- d) All Sewer Connection Fees shall be reduced Fifty Percent (50%) from the effective rates as adopted or later amended by the City.
- e) All single family residential homes existing at the time of the adoption of this ordinance that have City Water and/or Sewer Service available to them but have not yet been connected to City Water and/or Sewer shall have their Availability Fees waived completely during the period that this Ordinance is in full force and effect.

Section 3. This reduction in fees shall not apply to any development, project, or other otherwise eligible entity that is currently contracted or being negotiated at a higher fee at the time of the adoption of this Ordinance. Determination of eligibility under this Section shall be determined by the Director of Community Development.

Section 4. Notwithstanding any other provision and subject to future amendment, this Ordinance shall become null and void on July 4, 2011.

Section 5. This Ordinance shall be in full force and effect in accordance with Indiana Law, upon its passage by the City Council, its publication in accordance with law and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby ordered amended or repealed. All acts taken pursuant to the adoption of this ordinance are hereby ratified.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

ALL OF WHICH IS ORDAINED THIS 10 DAY OF May 2010.

WESTFIELD CITY COUNCIL

Voting For

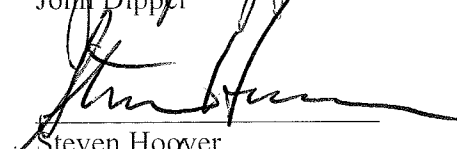
Voting Against

Abstain


John Dippel

John Dippel

John Dippel


Steven Hoover

Steven Hoover

Steven Hoover


Bob Horkay

Bob Horkay

Bob Horkay

Ken Kingshill

Ken Kingshill

Ken Kingshill


Bob Smith

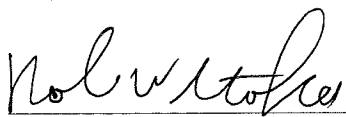
Bob Smith

Bob Smith


Thomas Smith

Thomas Smith

Thomas Smith


Rob Stokes

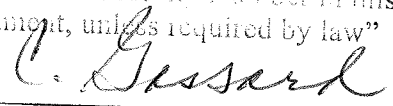
Rob Stokes

Rob Stokes

ATTEST:


Cindy Gossard, Clerk Treasurer

"I affirm, under the penalties of perjury,
that I have taken reasonable care to redact
each Social Security Number in this
document, unless required by law"


Signed

I hereby certify that ORDINANCE 10-06 was delivered to the Mayor of Westfield

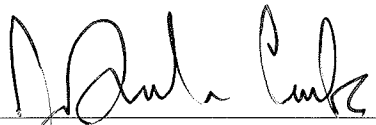
on the _____ day of _____, 2010, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 10-06

I hereby VETO ORDINANCE 10-06

this _____ day of _____, 2010. this _____ day of _____, 2010.



J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by
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